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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,767	03/07/2002	Dieter Kress	2146.GLE.PT	8734
7590	03/16/2004		EXAMINER	
RANDALL B. BATEMAN MORRISS, BATEMAN, O'BRYANT & COMPAGNI Suite 700 136 South Main Street Salt Lake City, UT 84101			FERGUSON, MICHAEL P	
			ART UNIT	PAPER NUMBER
			3679	
			DATE MAILED: 03/16/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No.	Applicant(s)
	10/092,767	KRESS ET AL.
	Examiner	Art Unit
	Michael P. Ferguson	3679

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 17 February 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b])

- a) The period for reply expires 3 months from the mailing date of the final rejection.
- b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. The proposed amendment(s) will not be entered because:
 - (a) they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) they raise the issue of new matter (see Note below);
 - (c) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. Applicant's reply has overcome the following rejection(s): _____.
4. Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. The a) affidavit, b) exhibit, or c) request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 6-18.

Claim(s) withdrawn from consideration: _____.

8. The drawing correction filed on _____ is a) approved or b) disapproved by the Examiner.

9. Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.

10. Other: _____.


LYNNE H. BROWNE
 SUPERVISORY PATENT EXAMINER
 TECHNOLOGY CENTER 3600

Continuation of 2. NOTE: The added limitations "said at least one projecting shoulder having an axially positioned tool-receiving element to effect rotation of said threaded spindle when said at least one projecting shoulder is inserted within a tool part" require further search and consideration as they have been presented for the first time in this amendment.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dieter Kress

Serial No.: 10/092,767

Filed: March 7, 2002

For: CONNECTION POINT

Examiner: Michael P. Ferguson

Group Art Unit: 3679

Attorney Docket No.: 2146.GLE.PT

CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail (under 37 C.F.R. § 1.8(a)) on the date of deposit shown below with sufficient postage and in an envelope addressed to the MAIL STOP AF, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450.

February 11, 2004
Date of Deposit

Julie K. Morris
Signature of registered practitioner or other person having reasonable basis to expect mailing to occur on date of deposit shown pursuant to 37 C.F.R. § 1.8(e)(1)(ii)

Julie K. Morris
Typed/printed name of person whose signature is contained above

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AMENDMENT UNDER 37 C.F.R. § 1.116

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Commissioner For Patents
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Sir:

Responsive to the Final Office Action mailed December 11, 2003, the Applicant requests entry of the following amendments to place the application in condition for allowance or, in the alternative, to place the claims in better condition for consideration upon appeal:

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GROUP 3600

IN THE CLAIMS:

A complete listing of the claims and their status as of this Amendment is as follows:

Claims 1-5 (Cancelled)

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6. (Currently amended) A device for connecting two tool parts configured for receiving a threaded spindle, each of the tool parts having an associated threaded area, and wherein the device comprises:

a threaded spindle having at least one projecting shoulder the outside diameter of which is slightly smaller than the interior diameter of the associated threaded area of one of the tool parts to approximate said interior diameter such that said at least one projecting shoulder serves to guide said threaded spindle into, and provide axial and angular alignment between, the two tool parts, said at least one projecting shoulder having an axially positioned tool-receiving element to effect rotation of said threaded spindle when said at least one projecting shoulder is inserted within a tool part.

7. (Previously presented) The device according to claim 6, wherein the threaded spindle has a projecting shoulder at each end.

8.(Previously presented) The device according to claim 7, wherein the outside diameter of the projecting shoulder at each end is slightly smaller than the interior threads of the associated threaded area of a corresponding tool part to approximate the interior threads thereof to guide said threaded spindle into, and provide axial and angular alignment between, the two tool parts.

9.(Previously presented) The device according to claim 6, wherein said threaded spindle has two threaded sections, each being threaded in a direction opposite the other and assigned to corresponding threaded areas of the tool parts.

10.(Previously presented) The device according to claim 9, wherein the threaded sections of the threaded spindle have differing outside diameters for being correspondingly adapted to the differing interior diameters of the two tool parts.

11. (Currently amended) The device according to claim 6 7, wherein each said projecting shoulder the threaded spindle is configured with means a tool-receiving element for being rotated when rotating said threaded spindle via said projecting shoulder when positioned within the tool parts.

12. (Currently amended) A connection for connecting two tool pieces, the connection comprising:

a first tool piece having a threaded area for receiving a first threaded section of a threaded spindle;

a second tool piece having a threaded area for receiving a second threaded section of a threaded spindle; and

a threaded spindle having a first threaded section for engaging the threaded area of the first tool piece and a second threaded section for engaging the threaded area of the second tool piece, and wherein the threaded spindle comprises at least one shoulder extending beyond one of the threaded sections, said at least one projecting shoulder having an outer diameter slightly smaller than the interior diameter of the threaded area of one of the first tool piece and the second tool piece for approximating the interior diameter of said threaded area to there thereby guide the threaded section into the threaded area and provide axial and angular alignment of the first and second tool pieces, said at least one projecting shoulder further having a tool-receiving portion for effecting rotation of said threaded spindle via said projecting shoulder when inserted in said first or second tool piece .

13.(Previously presented) The connection according to claim 12, wherein the

second tool piece partially nests within the first tool piece.

14. (Previously presented) The connection according to claim 12, wherein the threaded spindle has opposing ends and has a projecting shoulder at each end.

15. (Previously presented) The connection according to claim 14, wherein the outside diameter of each projecting shoulder at each end is slightly smaller than the interior threads of the associated threaded area of a corresponding tool piece to approximate said interior threads to guide said threaded spindle into place and to provide axial and angular alignment between said first and second tool pieces.

16.(Previously presented) The connection according to claim 12, wherein threaded sections of the threaded spindle have opposing orientation and are assigned to corresponding threaded areas of the tool pieces.

17. (Previously presented) The connection according to claim 16, wherein the threaded sections of the threaded spindle have differing outside diameters and the threaded areas of the tool pieces have correspondingly adapted interior diameters.

18. (Currently amended) The connection according to claim 42 14, wherein each said projecting shoulder of the threaded spindle is configured with means a tool-receiving portion for rotating effecting rotation of said threaded spindle via said projecting shoulder when positioned within said first and second tool pieces.

REMARKS

The Final Office Action mailed December 11, 2003 has been received and reviewed. Claims 6-18 are pending and are finally rejected in view of newly cited references. Claims 6, 11, 12 and 18 are amended responsive to the new rejections. No new issues are raised as a result of the amendments and entry is appropriate.

The Applicant submits that the claims are in condition for allowance for the reasons stated hereinafter.

Rejection Of Claims 6-18 Under 35 U.S.C. § 102(b) [Bittern]

Claims 6-18 are newly rejected under 35 U.S.C. § 102(b) as being anticipated by Bittern (USPN 3,837,759). As amended, claims 6 and 12 require that the threaded spindle has at least one projecting shoulder that inserts into a tool part and that the projecting shoulder be configured with tool-receiving means for effecting rotation of the threaded spindle via the embedded projecting shoulder when inserted in the tool part. Support for the amendment is found in the specification at paragraphs [0008] and [0011], and was previously presented in claims 11 and 18. Bittern fails to teach or suggest any such structure. Rather, Bittern discloses a drive shaft (considered by the Examiner to equate to the claimed threaded spindle) which is threaded at one end for insertion into a first tool part, identified as a hole saw (30). The other end of the drive shaft is formed with a central bore (16) that is provided for receiving a second tool, specifically identified as a pilot drill. Bittern does not disclose that the bore-containing end of the drive shaft provides a projecting shoulder that inserts into a tool part as required by the claims. To the contrary, the bore receives a tool part therein. Therefore, Bittern discloses a device which has an entirely different structure, purpose and operation from the claimed invention. Additionally, Bittern fails to teach a spindle device where, as claimed, a projecting shoulder of the device which is configured for insertion into a tool part is configured with a tool-receiving element for providing rotation

of the spindle via the projecting shoulder when the shoulder is embedded or inserted into the tool. Bittern, therefore, neither anticipates nor obviates claims 6-18.

Rejection Of Claims 6, 12 and 13 Under 35 U.S.C. § 102(b) [Redinger]

Claims 6, 12 and 13 are newly rejected under 35 U.S.C. § 102(b) as being anticipated by Redinger (USPN 1,615,233). Again, amended claims 6 and 12 require that the threaded spindle has at least one projecting shoulder that inserts into a tool part and that the projecting shoulder is configured with tool-receiving means for effecting rotation of the threaded spindle via the projecting shoulder when the projecting shoulder is inserted in a tool part. Redinger fails to teach or suggest any such structure or capability and, therefore, neither anticipates nor obviates claims 6, 12 and 13.

Rejection Of Claims 6-8, 12, 14 and 15 Under 35 U.S.C. § 102(b) [Hart]

Claims 6-8, 12, 14 and 15 are newly rejected under 35 U.S.C. § 102(b) as being anticipated by Hart (USPN 2,005,498). Both claims 6 and 12 require a threaded spindle that has at least one projecting shoulder the diameter of which is slightly smaller than the interior diameter of the associated tool part so that the projecting shoulder approximates the interior diameter and thereby serves to guide and both axially and angularly align the tool parts. Hart provides no such structure. To the contrary, Hart discloses a connecting stud (3) having projecting ends (8,9) which are purposefully sized to be considerably smaller than the corresponding recesses of the tool parts into which the projecting ends are inserted (see FIG. 1 of Hart) so that the stud will be loosely fitted in the threaded portions of the conjoined tool parts so that the stud may float up and down within the helical bore. See page 2, left hand column, lines 42-46. Such structure is antithetical to the claimed structure, and its purpose, of the present invention. Additionally, as now amended, claims 6 and 12 require tool-receiving means as described and argued previously herein, and Hart discloses no such structure.

Therefore, Hart neither anticipates nor obviates claims 6-8, 12, 14 or 15.

CONCLUSION

In view of the amendments made and the arguments presented, the Applicant submits that claims 6-18 present patentable subject matter. Reconsideration and allowance are respectfully requested.

Respectfully submitted,



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Date: February 11, 2004